

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
Martinsburg**

WILLIAM M. BULGER,
Administrator of the Estate
of James Bulger,

Plaintiff,

v.

CASE NO: 3:20-CV-206
Judge Bailey

HUGH HURWITZ, et al.,

Defendants.

ORDER DENYING MOTION TO STAY DISCOVERY-RELATED DEADLINES

Pending before this Court is defendants' Motion to Stay Discovery-Related Deadlines [Doc. 40], filed September 10, 2021. Therein, defendants move this Court pursuant to Federal Rule of Civil Procedure 26(c) to stay this Court's discovery-related deadlines until this Court has ruled on the defendants' forthcoming motions to dismiss.


This Court notes that it is afforded "broad discretion to stay proceedings as an incident to its power to control its own docket." *Clinton v. Jones*, 520 U.S. 681, 706 (1997). In the exercise of such discretion, and in consideration of the arguments contained in the pending Motion, this Court declines to stay discovery in this matter while motions are forthcoming.

Accordingly, the Motion to Stay Discovery-Related Deadlines [**Doc. 40**] is **DENIED**. The parties are **DIRECTED** to submit a Rule 26(f) report and a completed Scheduling Order Checklist (see attached) to this Court within seven (7) days following the entry of this Order.

It is so **ORDERED**.

The Clerk is directed to transmit copies of this Order to all counsel of record herein.

DATED: October 7, 2021.



JOHN PRESTON BAILEY
UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

Plaintiff(s),

v.

Civil Action No. _____

Defendant(s).

SCHEDULING ORDER CHECKLIST

1. INTERMEDIATE PRETRIAL CONFERENCE

2. MEDIATION Before -

3. JOINDER AND AMENDMENTS

4. EXPERT DISCLOSURE

a. With Burden

b. Without Burden

5. EXAMINATION/INSPECTIONS

6. DISCOVERY COMPLETION

7. DISPOSITIVE MOTIONS

_____ Responses

_____ Replies

8. PRETRIAL DISCLOSURES, FED R. CIV PRO 26(a)(3)

a. Objections

9. JURY INSTRUCTIONS, VOIR DIRE and VERDICT FORMS

a. Objections

10. MOTIONS IN LIMINE

a. Objections

11. BIOGRAPHICAL SKETCHES

12. JOINT FINAL PRETRIAL CONFERENCE ORDER

13. FINAL PRETRIAL CONFERENCE

14. Trial

(If non-jury trial, Proposed Findings of Fact
and Conclusions of Law are to be filed with Court
and opposing counsel _____)